

Representative shall request that the United States International Trade Commission initiate an investigation under section 201 of the Trade Act of 1974 (19 U.S.C. 2251).

"(e)(1) If, during the period 1982 to 1992, the Secretary of Energy determines that executed contracts or options for source material or special nuclear material from foreign sources for use in utilization facilities within or under the jurisdiction of the United States represent greater than thirty-seven and one-half percent of actual or projected domestic uranium requirements for any two consecutive year period, or if the Secretary of Energy determines the level of contracts or options involving source material and special nuclear material from foreign sources may threaten to impair the national security, the Secretary of Energy shall request the Secretary of Commerce to initiate under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862) an investigation to determine the effects on the national security of imports of source material and special nuclear material. The Secretary of Energy shall cooperate fully with the Secretary of Commerce in carrying out such an investigation and shall make available to the Secretary of Commerce the findings that lead to this request and such other information that will assist the Secretary of Commerce in the conduct of the investigation.

"(2) The Secretary of Commerce shall, in the conduct of any investigation requested by the Secretary of Energy pursuant to this section, take into account any information made available by the Secretary of Energy, including information regarding the impact on national security of projected or executed contracts or options for source material or special nuclear material from foreign sources or whether domestic production capacity is sufficient to supply projected national security requirements.

"(3) No sooner than 3 years following completion of any investigation by the Secretary of Commerce under paragraph (1), if no recommendation has been made pursuant to such study for trade adjustments to assist or protect domestic uranium production, the Secretary of Energy may initiate a request for another such investigation by the Secretary of Commerce.

TELECOMMUNICATIONS FOR THE DISABLED ACT OF 1982

Mr. STEVENS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2355.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2355) entitled "An Act to amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service", do pass with the following amendments:

Strike out all after the enacting clause, and insert:

That this act may be cited as the "Telecommunications for the Disabled Act of 1982".

Sec. 2. The Congress finds that—

(1) all persons should have available the best telephone service which is technologically and economically feasible;

(2) currently available technology is capable of providing telephone service to some individuals who, because of hearing impairments, require telephone reception by

means of hearing aids with induction coils, or other inductive receptors;

(3) the lack of technical standards ensuring compatibility between hearing aids and telephones has prevented receipt of the best telephone service which is technologically and economically feasible; and

(4) adoption of technical standards is required in order to ensure compatibility between telephones and hearing aids, thereby accommodating the needs of individuals with hearing impairments.

Sec. 3. Title VI of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end thereof the following new section:

"TELEPHONE SERVICE FOR THE DISABLED

Sec. 610. (a) The Commission shall establish such regulations as are necessary to insure reasonable access to telephone service by persons with impaired hearing.

"(b) The Commission shall require that essential telephones provide internal means for effective use with hearing aids that are specially designed for telephone use. For purposes of this subsection, the term 'essential telephones' means only coin-operated telephones, telephones provided for emergency use, and other telephones frequently needed for use by persons using such hearing aids.

"(c) The Commission shall establish or approve such technical standards as are required to enforce this section.

"(d) The Commission shall establish such requirements for the labeling of packaging materials for equipment as are needed to provide adequate information to consumers on the compatibility between telephones and hearing aids.

"(e) In any rulemaking to implement the provisions of this section, the Commission shall specifically consider the costs and benefits to all telephone users, including persons with and without hearing impairments. The Commission shall ensure that regulations adopted to implement this section encourage the use of currently available technology and do not discourage or impair the development of improved technology.

"(f) The Commission shall complete rulemaking actions required by this section and issue specific and detailed rules and regulations resulting therefrom within one year after the date of enactment of the Telecommunications for the Disabled Act of 1982. Thereafter the Commission shall periodically review such rules and regulations. Except for coin-operated telephones and telephones provided for emergency use, the Commission may not require the retrofitting of equipment to achieve the purposes of this section.

"(g) Any common carrier or connecting carrier may provide specialized terminal equipment needed by persons whose hearing, speech, vision, or mobility is impaired. The State commission may allow the carrier to recover in its tariffs for regulated service reasonable and prudent costs not charged directly to users of such equipment.

"(h) The Commission shall delegate to each State commission the authority to enforce within such State compliance with the specific regulations that the Commission issues under subsections (a) and (b), conditioned upon the adoption and enforcement of such regulations by the State commission."

Amend the title so as to read: "A bill to amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and to enable telephone companies to accommodate persons with other physical disabilities."

● Mr. GOLDWATER. Mr. President, I am pleased that the Senate and House have agreed to enact S. 2355, a bill to amend the Communications Act of 1934 to provide that persons with impaired hearing are insured reasonable access to telephone service.

The bill recognizes that the benefits of this access should not exceed the costs to all telephone users, and provides that new technology may not be impeded by the Commission's regulations.

Under the bill, the FCC is directed to implement regulation that will insure reasonable access to telephone service for the hearing impaired. To insure such access, the FCC would require that all coin-operated public telephones provide internal means of coupling with hearing aids. The FCC would also require that other telephones—those frequently needed for use by persons using such hearing aids, and emergency phones—provide such internal means of coupling with hearing aids. The FCC would have to establish technical standards that will insure coupling compatibility between telephone and hearing aids. The FCC is directed to establish regulations for the labeling of equipment packaging materials that will provide consumers with information on compatibility between telephones and hearing aids.

The FCC must consider costs and benefits to all telephone users. FCC rules must encourage the use of currently available technology, and may not impair the development of new technology. Rulemaking required by this section must be completed within 1 year of enactment, and the FCC must periodically review such rules and regulations. Finally, the FCC may not require the replacement of any existing equipment, other than coin-operated public telephones and emergency telephones.

Subsection (B) of S. 2355 provides that:

"The Commission shall require that essential telephones provide internal means for effective use with hearing aids that are specially designed for telephone use. For purposes of this subsection, the term 'essential telephones' means only coin-operated telephones, telephones provided for emergency use, and other telephones frequently needed for use by persons using such hearing aids."

Mr. President, this language does not expand the Commission's jurisdiction over the telephone services provided by hotels and motels. In any event, the Congress has taken steps to insure that the Commission does not impose unwarranted or unnecessary rules upon hotels and motels or upon any other industry or individual. In subsection (E), the Commission is directed to specifically consider costs and benefits to all telephone users before it implements any rules under this act.

CORPORATION FOR PUBLIC BROADCASTING

Mr. President, this bill contains an amendment that insures that the

Board of Directors of the Corporation for Public Broadcasting (CPB) retains its political balance during its reduction in size from 15 to 10 members.

Public Law 97-35 requires that the members appointed by the President to the Board of Directors at CPB be reduced from 15 to 10, and that after reduction, no political party should be represented by more than 6 members. If the reduction takes place as anticipated in Public Law 97-35, then it is possible that the Board will have eight members of the same party; thus violating the political balance requirement.

Thus, this amendment would simply cut short, by 3 years, the terms of office of two of the persons expected to take one of the existing vacancies on the Board. The terms of these two persons would expire March 1, 1984, and not March 1, 1987. This gives the President an opportunity to appoint two additional members of the minority party on March 1, 1984—leaving a 6 to 4 ratio, as required by Public Law 97-35, and not a ratio of 8 to 2.

THE COMMUNICATIONS SATELLITE ACT OF 1962

In order for the Communications Satellite Corporation (Comsat) to meet its continuing financing requirements effectively, this amendment eliminates an outmoded provision of the Communications Satellite Act of 1962.

The second sentence of section 304(b)(2) of the act, requires that 50 percent of any new issuance of Comsat stock be reserved for purchase by other communications common carriers. This requirement was enacted when Comsat stock was not yet available on the open market. Its purpose was to insure that authorized carriers have the opportunity to purchase shares. The carriers did, in fact, purchase 50 percent of the original issue, but have since disposed of almost all of their shares. They now own only about 7,000 shares—less than 0.1 Percent—of about 8 million shares outstanding. The repeal of this provision would not prevent carriers from purchasing or owning Comsat shares; the reservation for them would simply not be there as a cloud on alienability. Authorized carriers could purchase new offerings of shares, and could purchase shares on the open market.

Comsat has now entered a period requiring additional financing for further development of its satellite programs. In the current volatile financial markets, it must be in a similar position to other companies for obtaining financing when conditions are most favorable. However, the provision in section 304(b)(2) is still in force and requires the company to set up extraordinary and cumbersome procedures for compliance.

The committee considered this matter in conjunction with hearings on S. 2469, the International Telecommunications Act of 1982—Senate Calendar No. 967—and included repeal of the provision in the bill as reported by

the Commerce Committee on October 1. To my knowledge, no one has questioned the merits of repealing the provision.

Mr. CANNON. Mr. president, last spring I introduced, along with Senators GOLDWATER and RIEGLE, S. 2355, dealing with telephone service for the hearing impaired. In August, this bill was unanimously passed by the Senate.

Yesterday, the House of Representatives passed this bill by a vote of 365 to 14. The House version of this bill differs from the version the Senate passed in August in three ways:

First, the bill has been given a title: the "Telecommunications for the Disabled Act of 1982." Second, the House version includes an amendment that makes State public utility Commissions, rather than the FCC, the primary enforcement mechanism. Third, and much more importantly, the House has added a provision which states that a regulated carrier, that is, a telephone company, "may provide specialized terminal equipment needed by persons whose hearing, speech, vision, or mobility is impaired" and that State commissions "may allow the carrier to recover in its tariffs for regulated service reasonable and prudent costs not charged directly to users of such equipment." This would correct one of the unforeseen consequences of the FCC's "Computer II" decision where the FCC generally told telephone companies to get out of the terminal equipment business and directed that, in the future, terminal equipment would be supplied by competitive manufacturers. If telephone companies no longer provide any terminal equipment, the question arises as to who will supply teletypewriters and other specialized equipment that telephone companies traditionally provided to handicapped individuals on a below-cost basis.

I am, of course, delighted by the House action since this legislation is supported by the administration, by the telephone and electronics industries, by State regulatory commissions, and by a wide variety of organizations representing the handicapped.

The majority proposes to use this bill as a vehicle to enact two very technical amendments of a noncontroversial nature. I have reviewed those amendments. They are purely technical and noncontroversial and I certainly have no objection.

Mr. President, I ask unanimous consent that these letters of support from the National Easter Seal Society, the American Council of the Blind, the Paralyzed Veterans of America, the American Association of Retired Persons, the National Association of the Deaf, and the Centel Corp. be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL EASIER SEAL SOCIETY,

Washington, D.C., October 18, 1982.

Hon. HOWARD W. CANNON,
U.S. Senate, Dirksen Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: I am writing to express our organization's support for S. 2355, the legislation that you have introduced which would insure access to telephone service for persons with hearing impairments. We believe that your bill, as amended by the House, will result in greater access to our communications system for all citizens.

The National Easter Seal Society has had a longstanding interest in the problems of individuals with hearing impairments. During 1982, state and local Easter Seal societies will serve over 40,000 individuals with impaired hearing. As you know, one of the most frustrating aspects of hearing impairment and deafness is the inability to use the telecommunications media on which our society has become so dependent. We believe that your bill will guarantee effective use of the telephone by this group of people. Furthermore, we believe that it will provide greater access, but will not discourage the development of new technology in this area. Our organization shares your view that making the benefits of the technological revolution in telecommunications available to all Americans, including those with disabilities, should be a priority in communications policy for the Congress.

We appreciate your efforts on this issue and hope that S. 2355 (as amended by the House) will be approved expeditiously by the Senate.

Sincerely,

JOSEPH D. ROMER,
Director of Governmental Affairs.

AMERICAN COUNCIL OF THE BLIND,

Washington, D.C., September 27, 1982.

Re telecommunication for the disabled act S. 2355.

Hon. HOWARD CANNON,
U.S. Senate, Washington, D.C.

DEAR SENATOR CANNON: The American Council of the Blind, the largest consumer organization of blind and visually impaired people in the United States, joins the many national and community organizations supporting S. 2355: the Telecommunications for the Disabled Act. In addition to benefiting the hearing impaired, we believe that this legislation would benefit other handicapped persons such as deaf-blind individuals who must rely on expensive specialized telephone equipment. We believe that local telephone companies should be able to subsidize the cost of this equipment and installation from the general rate base so that such individuals can more affordably use telephone equipment.

We commend your leadership in connection with this legislation and hope that the Senate will pass the bill at the earliest possible date.

Sincerely,

J. SCOTT MARSHALL,
Director of Governmental Affairs.

PARALYZED VETERANS OF AMERICA,

Bethesda, Md., September 24, 1982.

Hon. HOWARD H. CANNON,
Senate Committee on Commerce, Science,
and Transportation, U.S. Senate, Wash-
ington, D.C.

DEAR SENATOR CANNON: On behalf of the 11,000 members of Paralyzed Veterans of America, I want to express appreciation for your efforts and those of Senator Barry Goldwater to promote access to the telephone communications system for individuals with physical impairments. Your recog-

nition of the importance of improved and available communications for disabled citizens and the essential role modern communications play in assisting disabled people to achieve maximum independence is gratifying.

Your legislative proposal, S. 2355, clearly addresses many problems presently facing disabled citizens regarding the acquisition and payment for specialized communications equipment. The recent Federal Communications Commission decision, Computer II, would preclude many individuals from obtaining this necessary, and often only means of contact with other people including vital medical and emergency personnel. Additionally, this FCC decision serves to retard technological innovations which benefit disabled people by drastically restricting their use and potential market.

Under the Computer II decision telephone companies would be prevented from subsidizing special and unique equipment which meet the needs of handicapped individuals. This not only will sever their primary means of communications but will also, in certain cases, prevent their gainful employment. This decision is unduly harsh and restrictive as it applies to devices for disabled people and presents a great hardship and barrier to many of the most catastrophically disabled citizens.

Again, thank you for your recognition of this issue. If I or any member of my staff can further assist you in securing passage of this legislation, please contact us.

Sincerely yours,

R. JACK POWELL,
Executive Director.

AMERICAN ASSOCIATION OF RETIRED
PERSONS.

Washington, D.C., September 27, 1982.

HON. HOWARD W. CANNON,
U.S. Senate, Washington, D.C.

DEAR SENATOR CANNON: The American Association of Retired Persons is writing in support of S. 2355, the Telecommunications for the Disabled Act of 1982, as amended by the House which is designed to promote access to the telephone network for persons with physical impairments.

We are pleased that this legislation recognizes and begins to address the problem of telephone receiver incompatibility with hearing aid telephone pickups. The Association is concerned that incompatible telephone equipment is restricting certain individuals' access to the use of the telephone—an integral part of everyday life.

Hearing impairment among the elderly is a widespread disability which threatens the quality of life of our elderly by inhibiting their communication with others. The hearing aid, although not a panacea, is a rehabilitative device which provides assistance to many hearing impaired elderly. Hearing aids should serve the hearing impaired elderly in as many different situations as possible. Using the telephone is one method of communication which should not be denied this population.

Nor should access to the telephone be denied to those individuals with other physical impairments who need different types of specialized telephone equipment. Therefore, as contained in section (g) of S. 2355, it is important that telephone companies be encouraged and encouraged to provide that specialized telephone equipment in a manner which is affordable to those who need access to the telephone most.

The lack of access to telephone has far-reaching implications in such problem areas as freedom from isolation, emergency protection, equal employment opportunities, and freedom of mobility. For example, there are elderly individuals who suffer from

severe chronic conditions which restrict their mobility and cause them to be confined to their homes. For them, the telephone is an essential tool for communication. It may be the only or major means for them to have contact with others and thereby provide protection from social isolation. In an emergency situation, the telephone may be their only resource for obtaining assistance.

Again AARP supports S. 2355, the Telecommunications for the Disabled Act of 1982, as amended and urges that this legislation be acted upon favorably during this session of Congress.

Sincerely,

PETER W. HUGHES,
Legislative Counsel.

NATION ASSOCIATION OF THE DEAF

Washington, D.C., September 27, 1982.

Senator HOWARD W. CANNON,
U.S. Senate, Washington, D.C.

DEAR SENATOR CANNON: We write to thank you for your efforts in obtaining Senate passage of S. 2355, the Telecommunications for the Disabled Act of 1982.

This bill, which you introduced along with Senator Goldwater, was passed by the Senate on August 18, 1982. A similar version has now been approved unanimously by the House Committee on Energy and Commerce, with an amendment relating to enforcement authority, and we understand that House action is imminent.

In the form passed by the House Committee, this bill will be of great benefit to millions of hearing-impaired Americans who depend on access to our telecommunications system. Although it does not require universal compatibility of all telephone equipment with hearing aids, its provisions will allow hearing-impaired and other disabled telephone consumers to have access to essential telephone service. The bill appears to balance the needs of disabled consumers with the competing demands of the telephone industry.

We thank you for your support and interest in this legislation, and we urge you to support its immediate passage by the Senate.

Very truly yours,

SARAH GEER,
Staff Attorney.

CENTEL CORP.

Washington, D.C. October 14, 1982.

HON. HOWARD W. CANNON,
Russell Senate Office Building, Washington, D.C.

DEAR SENATOR CANNON: This letter concerns S. 2355, the Telecommunications for the Disabled Act of 1982.

As you know, Centel Corporation operates the fourth largest independent telephone system in the United States, serving 1.1 million telephones in ten states. We are also a major CATV operator and are moving into other emerging telecommunications fields to augment our business systems, communications products and related activities.

We support this legislation, which was first addressed by the Senate Commerce Committee on a bipartisan basis. We appreciated the opportunity to work with your staff in reviewing the technical problems and regulatory implications of this bill.

We believe that the bill is a responsible and balanced piece of legislation. There has always been concern among our independent telephone companies, the Bell System companies and your own staff that the many recent advances in technology be made available to all Americans. This bill addresses that concern in one very useful way. Pay telephones and a very limited number of other telephones (described as

"essential telephones") can become compatible with hearing aids at minimal cost. The benefits are significant and the financial and regulatory costs are low. Once again, we appreciate your work and that of the other members of the Senate Commerce Committee in initiating and completing action on this bill.

Very truly yours,

MARTIN T. McCUE.

Mr. STEVENS, Mr. President, I move that the Senate concur in the House amendments with a further Senate amendment which I send to the desk on behalf of Senator PACKWOOD.

UP AMENDMENT 1534

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Alaska (Mr. STEVENS), on behalf of Mr. PACKWOOD, proposes an unprinted amendment numbered 1534.

Mr. STEVENS, Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill, add the following new sections:

Sec. . Subparagraph (B) of paragraph (2) of section 1225(a) of the Public Broadcasting Amendments Act of 1981 is amended to read as follows:

"(B) Notwithstanding the provisions of subsection (c) of section 396 of the Communications Act of 1934, in the case of the offices of director the terms of which expired March 1982, persons appointed to fill two of such vacancies existing as of December 13, 1982, shall be appointed for terms which shall expire on March 1, 1984 and shall not be representative of the political party having a majority of the directors of the Board on December 13, 1982. Persons appointed for a term beginning March 1, 1984, to fill the vacancies occurring in such offices the terms of which, by reason of the preceding sentence, expire on March 1, 1984, shall not be filled by persons representing the political party having a majority of the directors of the Board on March 1, 1984. Persons appointed on or after March 1, 1984, to fill vacancies in the two such offices shall be appointed for terms of five years. On March 1, 1984, there are abolished those five offices of director the terms of which, without application of the preceding provisions of this paragraph, expire on such date. In administering the provisions of this paragraph a director is a minority member of the Board if he is not a member of the political party to which the majority of the directors of the Board are members."

Sec. . The Communications Satellite Act of 1962, as amended (47 U.S.C. 791 et seq.), is amended by deleting the second sentence of section 105(b)(3) of such Act.

The motion to concur in the House amendments with the Senate amendment (UP No. 1534) was agreed to.

FLORIDA INDIAN LAND CLAIMS
SETTLEMENT ACT

Mr. STEVENS, Mr. President, I ask unanimous consent that the Committee on Indian Affairs be discharged

from further consideration of H.R. 7155, the Florida Indian Land Claims Settlement Act of 1982, and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 7155) to settle certain Indian land claims within the State of Florida, and for other purposes.

The Senate proceeded to consider the bill.

Mr. COHEN. Mr. President, I rise in support of H.R. 7155 and urge that the Senate act favorably upon this measure. H.R. 7155 was introduced in the House by Congressman FASCELL of Florida in September 1982. A companion bill, S. 2893, was introduced in the Senate by Senator CHILES for himself and Senator HAWKINS on September 10, 1982, and was referred to the Select Committee on Indian Affairs.

H.R. 7155 was reported out of the House Committee on Interior and Insular Affairs without benefit of a hearing. It was acted upon by the full House on December 6 without opposition. On December 7, the Select Committee on Indian Affairs held hearings on H.R. 7155 and received testimony from witnesses from the Department of the Interior, the State of Florida, and the Miccosukee Tribe. The legislation was supported by all of the parties and has the support of the Florida congressional delegation.

Mr. President, H.R. 7155 is the culmination of many years of hard negotiation between the State of Florida and the Miccosukee Tribe. It resolves a substantial claim of the tribe against the State of Florida for the flooding by the State of a major portion of the tribe's State-recognized reservation, as a result of a public works project to control flooding and store water in the Everglades. It also resolves a claim for the loss or taking of the Miccosukee's rights in a 5-million-acre Executive order reservation in the southern part of the State which the tribe contends was set aside by order of President Tyler in 1839. The State has never conceded that such reservation was established.

In major outline, the agreement provides for settlement funds from the State for Florida to the tribe in the amount of \$975,000; the Miccosukee State Indian Reservation and three parcels of land along the Tamiami Trail will be taken into trust by the Secretary of the Interior; and a perpetual lease to approximately 189,000 acres of Everglades land will be granted by the State. These lands will remain available for use by hunters and fishermen with some restrictions.

The "State reservation" lands will become a Federal Indian reservation. The "lease lands" will be treated as a Federal reservation for purposes of eligibility for Federal programs. The State of Florida has assumed jurisdiction over the tribes in that State

under the provisions of Public Law 83-280. This jurisdictional scheme is continued in effect under the provisions of section 7 and 8(b) of H.R. 7155.

At the hearing before the Select Committee on Indian Affairs on December 7, the administration recommended three technical amendments relating to time limitation for payment of funds to the tribe by the State of Florida, clarification with respect to the fund from which payment is to be made, and clarification of the status of lands to be taken into trust by the Secretary.

I would note that the Florida State Legislature has already appropriated the necessary settlement funds and payment can be made immediately. For this reason the first two technical amendments appear unnecessary. As to the status of land taken into trust, I believe the language of the bill is clear that these trust lands are to be treated in the same manner as tribal trust lands are treated under the Federal laws generally applicable to tribal trust lands, including immunity from taxation. It is my understanding that this is the intent of the parties to this agreement, and certainly it is the intent of this legislation.

Under the provisions of section 177 of title 25, United States Code, any transaction involving an Indian tribe's land, or any claim to title, is void without the consent of the United States. H.R. 7155 provides the necessary consent to two underlying agreements of the State and the tribe: A "settlement agreement" and a "lease agreement." In addition, H.R. 7155 provides certain clarification of jurisdiction and application of Federal, State, and tribal laws within the Miccosukee Reservation and lease area.

In conclusion, I would stress one point: H.R. 7155 requires the relinquishment and waiver of the Miccosukee Tribe of any further claim of the tribe against the State of Florida for past land transactions or loss of lands within that State. The Seminole Tribe of Florida has similar claims against the State of Florida which are presently in litigation or are the subject of ongoing negotiation. Nothing in this act is intended to either enhance or diminish or in any way affects the claims of the Seminole Tribe, and this is understood by all parties concerned.

Mr. President, at this time there is no printed record in either the House or the Senate of the underlying agreements we are here ratifying. For this reason I ask, unanimous consent that the "settlement agreement" and the "lease agreement" between the State of Florida and the Miccosukee Tribe be printed in full at the conclusion of these remarks.

I urge my colleagues to support this bill.

There being no objection, the material was ordered to be printed in the Record, as follows:

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, MIAMI DIVISION

CASE NO. 79-253-CIV-JWK

Miccosukee Tribe of Indians of Florida, Plaintiff, vs. State of Florida, et al., Defendants.

SETTLEMENT AGREEMENT

It is hereby stipulated and agreed between the parties that the above-entitled case shall be finally settled in accordance with the terms of this Settlement Agreement (hereafter referred to as the "Agreement") and upon its approval by the Court. No appeal or review is to be sought by any of the parties. For the purpose of this Agreement, the parties shall be named and defined as follows:

Plaintiff, the Miccosukee Tribe of Indians of Florida (hereafter referred to as the "Miccosukee Tribe") is recognized by the State of Florida, pursuant to Chapter 285, Florida Statutes, and is an Indian tribe recognized by the United States and organized under the Indian Reorganization Act of 1934, 25 U.S.C. § 476, with a constitution and bylaws approved by the Secretary of the Interior pursuant to that Act. The Miccosukee Tribe approves this Agreement through its duly recognized and authorized Tribal Council, and its approval of this Agreement will bind the Miccosukee Tribe and its predecessor or successor in interest and all members thereof.

Defendants, the State of Florida, its agencies, political subdivisions, constitutional officers, officials of its agencies and subdivisions, and the South Florida Water Management District will be referred to hereafter in the Agreement as the "State of Florida," unless the language of this Agreement otherwise refers to a specific agency, official, or entity of the State of Florida. The State of Florida approves this Agreement through the Governor and Cabinet as the Executive Board of the Trustees of the Internal Improvement Trust Fund and as head of the Department of Natural Resources, the members of the Game and Fresh Water Fish Commission, the governing board of the South Florida Water Management District, and the Secretary of the Department of Transportation, and its approval shall bind the State of Florida and its above-named agencies.

The term "lands or natural resources" used in this Agreement, shall mean and include property or natural resources, or any interest in or right involving any real property or natural resource, including but not limited to minerals and mineral rights, timber and timber rights, water and water rights, and rights to hunt and fish.

WITNESSETH

Whereas, the parties recognize that a settlement of this litigation could not have been reached unless the Agreement included an extinguishment of any and all outstanding or potential claims the Miccosukee Tribe might have against the State of Florida, which may have arisen at any time prior to the effective date of this Agreement; and

Whereas, the parties also recognize that a settlement of this litigation could not have been reached unless the Agreement included a grant of a leasehold interest in certain lands to the Miccosukee Tribe; and

Whereas, the parties further recognize that implementation of this settlement will require action by both the Congress of the United States and the Legislature of the State of Florida; and

Whereas, it is the intent of this Agreement to resolve all outstanding disputes and

S. 816. An act to amend the Clayton Act to modify the amount of damages payable to foreign states and instrumentalities of foreign states which sue for violations of the antitrust laws.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. 3107. An original bill to amend the Board for International Broadcasting Act of 1973 to authorize additional appropriations for fiscal year 1983 (Rept. No. 97-685).

S. 3086. A bill with regard to Presidential certifications on conditions in El Salvador.

By Mr. STAFFORD, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

H.R. 7159. An act to amend the Federal Water Pollution Control Act to allow modifications of certain effluent limitations relating to biochemical oxygen demand and pH (Rept. No. 97-686).

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

Con. Res. 126. Concurrent resolution calling upon the U.S. Government to support the people of Afghanistan with material assistance in their struggle to be free from foreign domination.

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S.J. 271. Joint resolution to make technical corrections in certain banking and related statutes.

By Mr. DOMENICI, from the Committee on the Budget, without amendment:

S. Res. 502: Resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2941.

By Mr. DOMENICI, from the Committee on the Budget, without recommendation without amendment:

S. Res. 504: Resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2863.

S. Res. 505: Resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 5858.

By Mr. DOMENICI, from the Committee on the Budget, without amendment:

S. 2258: A bill to discontinue or amend certain requirements for agency reports to Congress.

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

H.R. 4350. An Act for the relief of Arthur J. Grauf.

By Mr. STAFFORD, from the Committee on Environment and Public Works:

S. 2845. A bill to amend section 202(7)(C) of title 3, United States Code (Rept. No. 97-687).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services:

Thomas Edward Cooper, of Virginia, to be an Assistant Secretary of the Air Force.

By Mr. TOWER, from the Committee on Armed Services:

Mr. TOWER. Mr. President, from the Committee on Armed Services, I report favorably the following nomi-

nations: In the Air Force there are 50 appointments to the grade of brigadier general (list begins with Marcus A. Anderson), Vice Adm. Kenneth M. Carr, U.S. Navy, to be reassigned to a position of importance and responsibility designated by the President and Lt. Gen. Robert C. Kingston, U.S. Army, to be reassigned to a position of importance and responsibility designated by the President. I ask that these names be placed on the executive calendar.

In addition, in the Marine Corps there are two permanent appointments to the grade of lieutenant and below (list begins with Stephen P. Freiherr) and in the Navy there are 424 permanent appointments to the grade of chief warrant officer (list begins with Anthony P. Battaglia). Since these names have already appeared in the CONGRESSIONAL RECORD on December 10 and 15 and to save the expenses of printing again, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. THURMOND, from the Committee on the Judiciary:

Sam H. Bell, of Ohio, to be U.S. district judge for the northern district of Ohio.

By Mr. HATCH, from the Committee on Labor and Human Resources:

Richard B. Backley, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of 6 years expiring August 30, 1988, to which position he was appointed during the last recess of the Senate;

L. Clair Nelson, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of 6 years expiring August 30, 1988, to which position she was appointed during the last recess of the Senate;

Betty H. Brake, of Oklahoma, to be Deputy Director of the ACTION Agency;

David L. Slate, of California, to be General Counsel of the Equal Employment Opportunity Commission for a term of 4 years;

Edmund T. Dombrowski, of California, to be a Member of the Federal Council on the Aging for a term expiring June 5, 1985;

Nanette Fabray MacDougall, of California, to be a Member of the National Council on the Handicapped for a term expiring September 17, 1984;

John E. Jurgensmeyer, of Illinois, to be a Member of the Commission on Libraries and Information Science for a term expiring July 19, 1987;

Jerald Conway Newman, of New York, to be a Member of the Commission on Libraries and Information Science for a term expiring July 19, 1987;

Julia Li Wu, of California, to be a Member of the Commission on Libraries and Information Science for a term expiring July 19, 1987;

Byron Leeds, of New Jersey, to be a Member of National Commission on Libraries and Information Science for a term expiring July 19, 1988;

Wallie Cooper Simpson, of New York, to be a Member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982;

Wallie Cooper Simpson, of New York, to be a Member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985;

Paul Cooperman, of California, to be a Member of the National Council on Educa-

tional Research for the remainder of the term expiring September 30, 1982;

Paul Cooperman, of California, to be a Member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985;

James Harvey Harrison, Jr., of Virginia, to be a Member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982;

James Harvey Harrison, Jr., of Virginia, to be a Member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985.

The following-named persons to be members of the National Council on Educational Research for the terms indicated:

For the remainder of the term expiring September 30, 1982:

Donald Barr, of Connecticut, vice Helan S. Astin.

For the remainder of the term expiring September 30, 1983:

Carl W. Salsar, of Oregon, vice Maria B. Codda.

For terms expiring September 30, 1983:

J. Floyd Hall, of South Carolina, vice Alonzo A. Crim, term expired.

Donna Helene Hearne, of Missouri, vice Catherine C. Stimpson, term expired.

George Charles Roche III, of Michigan, vice Harold Howe II, term expired.

For terms expiring September 30, 1984:

M. Blouke Carus, of Illinois, vice Barbara S. Uehling, term expired.

Onalee McGraw, of Virginia, vice Jon L. Harkness, term expired.

Penny Pullen, of Illinois, vice Tomas A. Arciniega, term expired.

Elaine Y. Schadler, of Pennsylvania, vice Harold L. Enarson, term expired.

For terms expiring September 30, 1985:

Donald Barr, of Connecticut. (Reappointment.)

Charles E. Hess, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988;

John H. Moore, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988;

Norman C. Rasmussen, of Massachusetts, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988;

Roland W. Schmitt, of New York, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988;

Robert F. Gikenson, of Pennsylvania, to be a Member of the National Science Board for a term expiring May 10, 1988;

William F. Miller, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988;

William A. Neirenberg, of California, to be a Member of the National Science Foundation, for a term expiring May 10, 1988;

Richard J. Fitzgerald, of Illinois, to be a Member of the Board of Trustees of the Harry S. Truman Scholarship Foundation for a term expiring December 10, 1985;

Truman McGill, of Alabama, to be a Member of the Board of Trustees of the Harry S. Truman Scholarship Foundation for a term expiring December 10, 1985;

Margaret Truman Daniel, of New York, to be a Member of the Board of Directors of the Harry S. Truman Scholarship Foundation for a term expiring December 10, 1987;

Gloria Ann Hay, of Alaska, to be a Member of the Board of Trustees of the Harry S. Truman Scholarship Foundation for a term expiring December 10, 1987;

to foreign states and instrumentalities of foreign states which sue for violations of the antitrust laws.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 7:27 p.m., a message from the House of Representatives, delivered by Ms. Goetz, announced that the House has passed the bill (S. 2623) to amend and extend the Tribally Controlled Community College Assistance Act of 1978, and for other purposes; with an amendment, it insists upon its amendment to the bill, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. PERKINS, Mr. FORD of Michigan, Mr. GAYDOS, Mr. ANDREWS, Mr. SIMON, Mr. WEISS, Mr. KILDEE, Mr. PEYSER, Mr. WILLIAMS of Montana, Mr. ECKART, Mr. ERLBORN, Mr. COLEMAN, Mr. ERDAHL, Mr. DENARDIS, Mr. CRAIG, and Mr. BAILEY of Missouri as managers of the conference on the part of the House.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5027. An act to designate the building known as the United States Post Office and Courthouse in Norfolk, Virginia, as the "Walter E. Hoffman United States Courthouse";

H.R. 5029. An act to designate the Federal Building in Fresno, California, as the "B.F. Sisk Federal Building";

H.R. 6538. An act to designate the Federal Building in Lima, Ohio, as the "Tennysen Guyer Federal Building";

H.R. 7397. An act to promote economic revitalization and facilitate expansion of economic opportunity in the Caribbean Basin region;

H.R. 7406. An act to designate a certain Federal building in Springfield, Illinois the "Paul Findley Building"; and

H.R. 7420. An act to name the fish hatchery at the Warm Springs Dam component of the Russian River, Dry Creek, California project as the Don H. Clausen Fish Hatchery.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

S. 823. An act to provide for the payment of losses incurred as a result of the ban on the use of the chemical Tris in apparel, fabric, yarn, or fiber, and for other purposes;

H.R. 6204. An act to provide for appointment and authority of the Supreme Court Police, and for other purposes;

H.R. 7019. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1983, and for other purposes; and

H.R. 7072. An act making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1983, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. THURMOND).

At 9:23 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7144) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1983, and for other purposes; and recedes from its disagreement to the amendments of the Senate numbered 4 and 6 to the bill, and agrees thereto; and it recedes from its disagreement to the amendments of the Senate numbered 3, 7, 17, 23, 33, 34, 35, 39, 40, and 41 to the bill, and agrees thereto, each with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House agrees to the amendments of the Senate to the amendment of the House to the amendment of the Senate numbered 4 to the bill (H.R. 1952) authorizing appropriations to carry out conservation programs on military reservations and public lands during fiscal years 1982, 1983, and 1984, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the amendment of the House to the bill (S. 1986) to provide for the use and distribution of funds awarded the Blackfeet and Gros Ventre Tribes of Indians and the Assiniboine Tribe of the Fort Belknap Indian Community, and others, in dockets numbered 250-A and 279-C by the U.S. Court of Claims, and for other purposes.

The message further announced that the House has passed the following bills, without amendment:

S. 1340. An act to provide for the use and distribution of Clallam judgement funds in docket numbered 134 before the Indian Claims Commission, and for other purposes;

S. 2611. An act to amend the Peace Corps Act; and

S. 3073. An act to provide for the distribution within the United States of the United States Information Agency film entitled "Dumas Malone: A Journey With Mr. Jefferson".

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 131. Concurrent resolution to express the sense of the Congress concerning Americans missing and unaccounted for in Southeast Asia.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 86. Concurrent resolution supporting an expansion of the advisory opinion jurisdiction of the International Court of Justice;

H. Con. Res. 423. Concurrent resolution expressing the full support of the Congress for the Republic of Costa Rica and its democratic institutions as that country responds to the current economic crisis, and for Costa Rica's efforts to contribute to the peaceful resolution of conflicts in Central America; and

H. Con. Res. 434. Concurrent resolution condemning all forms of religious persecution

HOUSE BILLS REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 3191. An act to amend the Internal Revenue Code of 1954 to exempt conventions, et cetera, held on cruise ships documented under the laws of the United States from certain rules relating to foreign conventions; to the Committee on Finance.

H.R. 5027. An act to designate the building known as the U.S. Post Office and Courthouse in Norfolk, Virginia, as the "Walter E. Hoffman U.S. Courthouse"; to the Committee on Governmental Affairs.

H.R. 5029. An act to designate the Federal Building in Fresno, Calif., as the "B. F. Sisk Federal Building"; to the Committee on Environment and Public Works.

H.R. 5133. An act to establish domestic content requirements for motor vehicles sold in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6538. An act to designate the Federal Building in Lima, Ohio, as the "Tennysen Guyer Federal Building"; to the Committee on Environment and Public Works.

H.R. 7397. An act to promote economic revitalization and facilitate expansion of economic opportunity in the Caribbean Basin region; to the Committee on Finance.

H.R. 7406. An act to designate a certain Federal building in Springfield, Ill., the "Paul Findley Building"; to the Committee on Environment and Public Works.

H.R. 7420. An act to name the fish hatchery at the Warm Springs Dam component of the Russian River, Dry Creek, Calif., project as the Don H. Clausen Fish Hatchery; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were read, and referred to the Committee on Foreign Relations:

H. Con. Res. 86. Concurrent resolution supporting an expansion of the advisory opinion jurisdiction of the International Court of Justice;

H. Con. Res. 423. Concurrent resolution expressing the full support of the Congress for the Republic of Costa Rica and its democratic institutions as that country responds to the current economic crisis, and for Costa Rica's efforts to contribute to the peaceful resolution of conflicts in Central America; and

H. Con. Res. 434. Concurrent resolution condemning all forms of religious persecution

ENROLLED BILL PRESENTED

The Secretary reported that on today, December 17, 1982, he had presented to the President of the United States the following enrolled bill: